

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13567 of Patrick and Helene G. Kenny, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1) for a proposed one story side addition to a detached dwelling in an R-1-A District at the premises 5170 Tilden Street, N.W., (Square 1470, Lot 15).

HEARING DATE: September 30, 1981
DECISION DATE: October 7, 1981

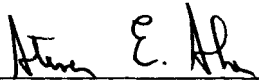
FINDINGS OF FACT:

1. The subject property is located at the northeast corner of the intersection of Tilden and Sedgewick Streets, N.W. and is known as 5170 Tilden Street, N.W. The property is in an R-1-A District.
2. The subject property is a corner lot with approximately 78.26 feet of frontage on Tilden Street and approximately 118.83 feet of frontage on Sedgewick Street. The depth of the subject property from Tilden Street is approximately 95.0 feet and the depth from Sedgewick Street is approximately 114.74 feet. The property is improved with a two-story and basement single family detached dwelling currently occupied by the applicants.
3. Fifteen foot building restriction lines exist along the frontage of both Tilden and Sedgewick Streets.
4. The adjoining properties and the neighborhood consist of one-family detached dwellings many with side and rear additions.
5. The applicant proposes to construct a one story side addition to replace an existing 6.5 foot by five foot screened porch. The side addition will be nine feet by twelve feet.
6. The R-1-A District requires a minimum lot area of 7,500 square feet. The subject lot contains 12,626 square feet. The R-1-A District requires a minimum lot width of seventy-five feet. An average of 118.08 feet is provided. The R-1-A District permits a maximum lot occupancy of forty percent or 5,054.4 square feet for the subject lot. The house including the addition will have 1,668.05 square feet. The R-1-A District requires a minimum rear yard of

VOTE: 4-1 (Douglas J. Patton, Charles R. Norris,
William F. McIntosh and Connie Fortune to
grant; Walter B. Lewis opposed).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

JAN 19 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO
DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN
DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL
RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING
ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH
PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE
OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES,
INVESTIGATIONS AND INSPECTIONS.

twenty-five feet. An average rear yard of twenty-five feet is provided.

7. The R-1-A District requires a minimum side yard of eight feet. The dwelling currently has a thirty-three foot side yard on the south side and a 12.82 foot side yard to the north.

8. The applicant proposes to construct the one story side addition on the north side of the existing dwelling. The addition will reduce the side yard to 4.5 feet. Thus, a variance of 3.5 feet is required.

9. The addition will serve as a breakfast room. The breakfast room adjoins the kitchen, which is located at the front of the house.

10. There is no other reasonable alternative to the location of the proposed addition. Other alternatives involve costly extensive renovation or relocation of the kitchen.

11. The adjoining property to the north has a wood stockade fence on the property line that will screen the addition.

12. No report was filed by Advisory Neighborhood Commission 3D.

13. The applicants have not received any opposition from their adjoining neighbors.

14. There was no opposition to the granting of this application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking an area variance, the granting of which requires a showing of a practical difficulty in developing the property under strict compliance with the Regulations. The Board concludes that the location and configuration of the existing dwelling on the site create a practical difficulty for the applicant. The Board concludes that the side addition is so located and of such size that there will be no adverse impact to the adjoining property.

The Board further concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps. It is there ORDERED that the application is GRANTED.